

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARCO GUZMAN,
Petitioner,
v.

ATTORNEY GENERAL, *et al.*,
Respondents.

Case No. 3:17-cv-00515-HDM-CLB

ORDER

In this habeas corpus action, the respondents filed a motion to dismiss (ECF No. 63) on July 27, 2021. On December 21, 2021, Petitioner Marco Guzman, represented by appointed counsel, filed a response to the motion to dismiss (ECF No. 69) and a motion for leave to conduct discovery (ECF No. 70). Respondents were then due to file a reply in support of their motion to dismiss and a response to the motion for leave to conduct discovery by January 20, 2022. See Order entered January 19, 2021 (ECF No. 54) (30 days for such filings).

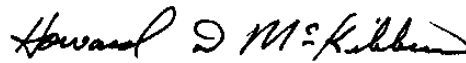
On January 20, 2022, Respondents filed a motion for extension of time (ECF No. 71), requesting a 33-day extension of time, to February 22, 2022, 2021. Respondents' counsel states that the extension of time is necessary because of her obligations in other cases. Petitioner does not oppose the motion for extension of time.

The Court finds that Petitioner's motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for an extension of time; however, the Court also finds that the 33-day extension of time requested is excessive. The Court has examined the briefing thus far submitted regarding the parties' motions, and finds that an extension of 33 days for Respondents' filings is unnecessary, despite counsel's statement that she is "currently working on multiple federal answers where the deadlines have previously been extended" and "also

1 just recently finished oral argument and briefing in cases before the Ninth Circuit Court
2 of Appeals.” See Declaration in Support of Motion for Enlargement of Time, pp. 3–4
3 (ECF No. 71, pp 3–4). The Court will extend the time for Respondents’ filings by 25
4 days, to February 14, 2022. Petitioner will then have 20 days to file a reply in support of
5 his motion for leave to conduct discovery. See Order entered January 19, 2021 (ECF
6 No. 54). Given the amount of time the briefing of these motions has taken, *the Court will*
7 *not further extend this briefing schedule.*

8 **IT IS THEREFORE ORDERED** that Respondents’ Motion for Enlargement of
9 Time (ECF No. 71) is **GRANTED IN PART AND DENIED IN PART**. Respondents will
10 have until and including **February 14, 2022**, to file a reply in support of their motion to
11 dismiss and a response to Petitioner’s motion for leave to conduct discovery. Petitioner
12 will then have 20 days to file a reply in support of his motion for leave to conduct
13 discovery. The Court will not further extend this briefing schedule.

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15 DATED THIS 21st day of January, 2022.

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19 HOWARD D. MCKIBBEN
20 UNITED STATES DISTRICT JUDGE
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